

Nos. 22-5148, 22-5149

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UNITED STATES COURT OF APPEALS  
FOR THE D.C. CIRCUIT

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BLACK ROCK CITY LLC and BURNING MAN PROJECT,  
*Plaintiffs/ Appellees,*

v.

DEB HAALAND, in her official capacity as Secretary of the United States  
Department of the Interior, et al.,  
*Defendants/ Appellants.*

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Appeal from the United States District Court  
for the District of Columbia  
No. 1:19-cv-03729-DLF (Hon. Dabney L. Friedrich)

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**FEDERAL APPELLANTS' UNOPPOSED MOTION FOR LEAVE TO FILE  
OUT OF TIME**

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TODD KIM

*Assistant Attorney General*

MATTHEW LITTLETON

*Deputy Assistant Attorney General*

JAMES A. MAYSONETT

*Attorneys*

Environment & Natural Resources Division

U.S. Department of Justice

Post Office Box 7415

Washington, D.C. 20044

(202) 305-0216

james.a.maysonett@usdoj.gov

The Federal Appellants hereby move for leave to file out of time the various initial forms and papers required by the Court's May 25, 2022 docketing order (including the Certificate as to Parties, Rulings, and Related Cases; Docketing Statement Form; Statement of Intent to Utilize Deferred Joint Appendix; Statement of Issues to be Raised; Transcript Status Report; and Underlying Decision from Which Appeal or Petition Arises).

In support of this motion, Federal Appellants submit that:

1. By the Court's May 25, 2022 order, these papers were due on June 24, 2022, but the Federal Appellants filed them on June 28, 2022.
2. The Federal Appellants filed these papers two days late due to an inadvertent calendaring error by undersigned counsel.
3. This brief, two-day delay will not prejudice any party or have any impact on these appeals.
4. Counsel for the Federal Appellants has conferred with counsel for Plaintiffs-Appellees Black Rock City LLC and Burning Man Project. The Plaintiffs-Appellees do not oppose the relief sought by this motion.

Undersigned counsel for the Federal Appellants apologizes for the delay in filing and regrets any inconvenience that this delay may have caused. The Federal Appellants respectfully ask this Court to grant this motion and allow the Federal Appellants to file these papers out of time. (The papers have already been filed and docketed.)

Respectfully submitted,

TODD KIM

*Assistant Attorney General*

MATTHEW LITTLETON

*Deputy Assistant Attorney General*

*/s/ James A. Maysonett*

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JAMES A. MAYSONETT

*Attorneys*

Environment & Natural Resources Division

U.S. Department of Justice

Post Office Box 7415

Washington, D.C. 20044

(202) 305-0216

james.a.maysonett@usdoj.gov

June 29, 2022

90-1-4-16000

### **CERTIFICATE OF COMPLIANCE**

1. This brief complies with the type-volume requirements of Federal Rule of Appellate Procedure 27(d)(2) because the motion contains 221 words.

2. This motion complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the typestyle requirements of Federal Rule of Appellate Procedure 32(a)(6) because this motion has been prepared in a proportionally spaced typeface using Microsoft Office Word in 14-point Calisto MT font.

/s/ James A. Maysonett  
JAMES A. MAYSONETT

Counsel for Federal Appellant